

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
AMENDED
CIVIL MINUTES—GENERAL

Case No. CV-15-04701-MWF (AGR_x)

Date: January 4, 2017

Title: Jose Jacobo, et al. -v- Ross Stores, Inc.

Present: The Honorable MICHAEL W. FITZGERALD, U.S. District Judge

Deputy Clerk:
Rita Sanchez

Court Reporter:
Not Reported

Attorneys Present for Plaintiff:
None Present

Attorneys Present for Defendant:
None Present

**Proceedings (In Chambers): ORDER GRANTING APPLICATION TO FILE
UNDER SEAL [76]**

On December 21, 2016, Defendant Ross Stores, Inc. (“Ross”) filed a Motion for Order Denying Class Certification (Docket No. 78) and an accompanying Unopposed Application for Leave to File Under Seal Documents in Connection with Ross’s Motion for Order Denying Class Certification (the “Application”) (Docket No. 76).

Ross seeks to file under seal information regarding its “Compare At” or “Comparable Value” pricing guidelines and practices, including approved comparable retailers and training materials created for Ross employees in connection with Ross’ pricing guidelines and practices. (App. at 2). Ross contends that this information is confidential and would harm its competitive standing if revealed.

Ross has demonstrated good cause for filing the requested material under seal. *See* Fed. R. Civ. P. 26(c); *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 598 (1978) (stating that “sources of business information that might harm a litigant’s competitive standing” properly may be sealed); *Phillips ex rel. Estates of Byrd v. General Motors Corp.*, 307 F.3d 1206, 1211 (9th Cir. 2002) (“The law . . . gives district courts broad latitude to grant protective orders to prevent disclosure of materials for many types of information, including, but not limited to, trade secrets or other confidential research, development, or commercial information.”).

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Accordingly, the Application is **GRANTED**. Ross may file under seal, pursuant to Local Rule 79-5, the documents or portions of documents identified in the table below:

| DOCUMENT TITLE | PORTIONS OF DOCUMENT TO BE FILED UNDER SEAL |
|---|--|
| Declaration of Rebecca Falzone in Support of Ross Stores, Inc.'s Motion for Order Denying Class Certification | Paragraphs 3, 4, and 8 |
| Exhibit A to the Falzone Declaration | Entire document |
| Exhibit B to the Falzone Declaration | Entire document |
| Exhibit C to the Falzone Declaration | Entire document |
| Exhibit E to the Falzone Declaration | Entire document |
| Memorandum of Points and Authorities in Support of Ross's Motion for Order Denying Class Certification | Page/line: 3:10-27, 4:2-4, 14:11-13, 17 n.8 (first sentence) |

IT IS SO ORDERED.